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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARCIE HAMILTON,

Plaintiff,

v.

JUUL LABS, INC.,

Defendant.

Case No. 3:20-CV-3710-EMC (SK)

**JOINT STIPULATION TO ENLARGE
TIME FOR SUBMITTING COMPETING
SEARCH TERMS TO THE COURT;
[PROPOSED] ORDER
(Civ. L.R. 6-1(b) and 6-2(a))**

STIPULATION

Pursuant to Civil Local Rule 6-1(b) and 6-2(a), Defendant Juul Labs, Inc. (“JLI”) and Plaintiff Marcie Hamilton (“Hamilton”) (JLI and Hamilton are referred to collectively herein as “the Parties”), through their attorneys of record, hereby stipulate and respectfully request that the Court enlarge the time for the parties to submit competing search terms to the Court if they cannot reach agreement on search terms.

1. WHEREAS, on June 25, 2021, Magistrate Judge Sallie Kim issued an Order Regarding Joint Discovery Letter Brief (ECF 61) ordering, in part, that: (a) Defendant produce a deponent pursuant to Fed.R.Civ.P. 30(b)(6) regarding the custodian(s) of records for the documents Plaintiffs seek within 14 days of the date of the Order unless both parties agreed to extend that time; and (b) the parties either meet and confer further or, if they cannot agree on search terms, to each submit to the Court competing search terms by July 23, 2021.

2. WHEREAS, the parties previously agreed to extend the time for a 30(b)(6) deposition regarding custodians by two weeks, until July 23, 2021, to allow time for the parties to meet and confer and identify custodians for the documents Plaintiff seeks absent the need for a 30(b)(6) deposition.

3. WHEREAS, the parties are currently in the process of meeting and conferring to identify custodians for the documents Plaintiff seeks and regarding search terms for Plaintiff Marcie Hamilton’s documents. The parties intend to meet and confer concerning search terms for the other custodians upon identification of the custodians.

4. WHEREAS, the parties have agreed to extend the time for a 30(b)(6) deposition for an additional two weeks, until August 6, 2021, to allow more time to meet and confer and identify potential custodians absent the need for such deposition.

5. WHEREAS, the parties have also agreed to extent the time for submitting competing search terms to the Court by two weeks, until August 20, 2021, to allow additional time to meet and confer and attempt to reach agreement regarding search terms.

6. WHEREAS, the Case Management and Pretrial Order issued by Judge Chen on June 24, 2021 (ECF 63) sets a non-expert discovery cut-off date of June 24, 2022.

7. WHEREAS, there have been no stipulated time modifications to any discovery deadlines in this case.

NOW, THEREFORE, the Parties, through their respective counsel of record, STIPULATE AND AGREE to the following modifications to the Court's June 25, 2021 Order Regarding Joint Discovery Letter Brief (ECF 61):

1. The time for Defendant to produce a deponent pursuant to Fed.R.Civ.P. 30(b)(6) regarding the custodian of records for the documents Plaintiffs seek is hereby extended to August 6, 2021 to allow additional time to meet and confer and identify potential custodians absent the need for such deposition. This time can be further extended by mutual agreement of the parties without order of the Court.

2. The time for the parties to submit competing search terms to the Court pursuant to the Court's June 25, 2021 Order Regarding Joint Discovery Letter Brief (ECF 61) is hereby extended until August 20, 2021 to allow additional time to meet and confer and attempt to reach agreement regarding search terms.

IT IS SO STIPULATED AND AGREED.

Dated: July 19, 2021

CURLEY, HURTGEN & JOHNSRUD LLP

By /s/ Brian L. Johnsrud
BRIAN L. JOHNSRUD
Attorneys for Defendant
JUUL LABS, INC.

Dated: July 19, 2021

BAKER CURTIS & SCHWARTZ, P.C.

By /s/ Chris Baker
CHRIS BAKER
Attorneys for Plaintiff
MARCIE HAMILTON

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest that I have obtained concurrence regarding the filing of this document from the other signatories to the document.

Dated: July 19, 2021

BAKER CURTIS & SCHWARTZ, P.C.

By /s/ Chris Baker
CHRIS BAKER
Attorneys for Plaintiff
MARCIE HAMILTON

[PROPOSED] ORDER

Pursuant to the Joint Stipulation to Enlarge Time For Filing Briefs Regarding Search Terms, it is hereby ordered that:

1. The time for Defendant to produce a deponent pursuant to Fed.R.Civ.P. 30(b)(6) regarding the custodian(s) of records for the documents Plaintiffs seek is hereby extended to August 6, 2021. This time can be further extended by mutual agreement of the parties without order of the Court.

2. The time for the parties to submit competing search terms to the Court pursuant to the Court's June 25, 2021 Order Regarding Joint Discovery Letter Brief (ECF 61) is hereby extended until August 20, 2021.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2021

SALLIE KIM
United States Magistrate Judge